

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

SHIRE FREE CHURCH MONADNOCK,
IAN FREEMAN,

Plaintiffs,

v.

SCOTT BAILEY, in his official capacity
As Special Agent of the Federal Bureau
Of Investigation,

Defendant.

No: 1:22:CV-100-SM

DEFENDANT’S ANSWER TO PLAINTIFFS’ COMPLAINT

FIRST DEFENSE

Plaintiffs have failed to state a claim upon which relief may be granted.

SECOND DEFENSE

Plaintiffs have failed to plead facts sufficient to support their claims for relief.

THIRD DEFENSE

Plaintiff requested forms of relief are inappropriate, not available, or would require the United States to violate the law.

Defendant answers Plaintiffs’ Complaint as follows:

1. Defendant denies the allegation contained in the first sentence of paragraph 1 of Plaintiffs’ Complaint that in 2016, federal agents searched and seized items from the Free Shire Church Monadnock, as it does not appear there is an entity known as Free Shire Church Monadnock. Defendant denies the allegation contained in the second sentence of paragraph 1 of Plaintiffs’ Complaint. Defendant admits the allegation in the third sentence of paragraph 1 of

Plaintiffs' Complaint that no criminal or civil action related to the seized property has been instituted. Defendant admits the allegation in the fourth sentence of paragraph 1 of Plaintiffs' Complaint that Plaintiffs are seeking return of seized property, but denies Plaintiffs are entitled to the relief they seek.

2. Defendant admits the allegations contained in the first two sentences of paragraph 2 of Plaintiffs' Complaint. Defendant denies the remaining allegations contained in paragraph 2 of Plaintiffs' Complaint.

3. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in paragraph 3 of Plaintiffs' Complaint and, on that basis, denies them.

4. Defendant admits the allegations contained in paragraph 4 of Plaintiffs' Complaint.

5. Defendant admits the allegations contained in paragraph 5 of Plaintiffs' Complaint.

6. Defendant admits the allegations contained in paragraph 6 of Plaintiffs' Complaint.

7. Defendant admits the allegations contained in paragraph 7 of Plaintiffs' Complaint.

8. Defendant admits the allegations contained in paragraph 8 of Plaintiffs' Complaint.

9. Defendant admits the allegations contained in paragraph 9 of Plaintiffs' Complaint.

10. Defendant admits the allegations contained in the first sentence of paragraph 10 of Plaintiffs' Complaint. Defendant denies the allegations contained in the second sentence of paragraph 10 of Plaintiffs' Complaint.

11. Defendant denies the allegation in paragraph 11 of Plaintiffs' Complaint that the warrant was invalid. Defendant admits the remaining allegations contained in paragraph 11 of Plaintiffs' Complaint.

12. Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in paragraph 12 of Plaintiffs' Complaint and, on that basis, denies them.

13. Defendant admits the allegation in the first sentence of paragraph 13 of Plaintiffs' Complaint that it continues to possess the items but denies the lack of any continuing investigation. By way of further response, Defendant asserts that it is currently working to obtain a search warrant to search the remaining seized items. Defendant admits the allegations contained in the second and third sentences of paragraph 13 of Plaintiffs' Complaint. Defendant denies the allegation contained in the fourth sentence of paragraph 13 of Plaintiffs' Complaint.

14. Defendant repeats each of the above answers as if set forth fully herein.

15. Defendant admits the allegations contained in paragraph 15 of Plaintiffs' Complaint.

16. Defendant denies the allegations contained in the first sentence of paragraph 16 of Plaintiffs' Complaint. Defendant is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations contained in paragraph 16 of Plaintiffs' Complaint and, on that basis, denies them.

17. Defendant denies the allegations contained in paragraph 17 of Plaintiffs' Complaint.

18. Defendant admits the allegation contained in the first sentence of paragraph 18 of Plaintiffs' Complaint. Defendant denies the remaining allegations contained in paragraph 18 of Plaintiffs' Complaint.

19. Defendant repeats each of the above answers as if fully set forth herein.

20. Defendant admits the allegations contained in paragraph 20 of Plaintiffs' Complaint.

21. Defendant denies the allegations contained in paragraph 21 of Plaintiffs' Complaint.

22. Defendant denies the allegations contained in paragraph 22 of Plaintiffs' Complaint.

To the extent that any allegation in Plaintiffs' Complaint is not explicitly and specifically admitted, the United States denies each allegation of Plaintiffs' Complaint.

Therefore, the United States requests that the Court dismiss this action with prejudice and that it be awarded its costs.

Respectfully submitted,

JANE E. YOUNG
United States Attorney

Dated: October 4, 2022

By: /s/ Michael T. McCormack
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